

BK 1443 PG 0079

SUBORDINATION AGREEMENT

80-1291  
This agreement, dated this the 28th day of December, 2001, between Sidney C. Windland, III and wife, Patricia A. Windland, of Southaven, Mississippi and First Tennessee Bank National Association, of Memphis, Tennessee.

## WITNESSETH

WHEREAS, First Tennessee Bank National Association is the holder of a lien on certain real property, which is represented by that certain Land Deed of Trust, executed by Sidney C. Windland, III and wife, Patricia A. Windland, to Thomas F. Baker, IV, for the use and benefit of First Tennessee Bank National Association, dated November 10, 1998, and recorded in the office of the Chancery Clerk of DeSoto County, Mississippi, in Book 1063, at Page 75, and

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, First Tennessee Bank National Association hereby agrees that any interest he may now or hereafter have shall be second and subordinate to the interest of the holder of that certain Deed of Trust dated December 28, 2001, from Sidney C. Windland, III and wife, Patricia A. Windland, Grantor, to Trustmark National Bank, Beneficiary, recorded in Book 437, Page 334, in the records in the office of the aforesaid Chancery Clerk, which lien will at all times be prior and superior to the lien of the undersigned.

Except as specifically modified herein, all covenants, agreements, restrictions, rights, privileges and obligations of the herein subordinated lien shall remain in full force and effect, and nothing contained in this instrument or any instrument referred to herein shall operate, or be construed to operate, as a waiver of any right, title, or interest now held by any of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Subordination Agreement on the day and year first above written.

STATE OF MISSISSIPPI - DESOTO CO.

JAN 10 1 24 PM '02

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WILLIAM DAVIS, CLERK\_\_\_\_\_  
SIDNEY C. WINDLAND, III\_\_\_\_\_  
PATRICIA A. WINDLAND\_\_\_\_\_  
FIRST TENNESSEE BANK, NATIONAL ASSOCIATION  
BY: James King  
JAMES KING, LOAN OFFICER

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, SIDNEY C. WINDLAND, III AND WIFE PATRICIA A. WINDLAND, who acknowledged that they signed and delivered the above and foregoing Subordination Agreement as their free and voluntary act and deed and for the purposes therein expressed.

Given under my hand and official seal of office, this the 28th day of December, 2001.

NOTARY PUBLIC

My Commission Expires:

STATE OF Tennessee  
COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 28th day of December, 2001, within my jurisdiction, the within named James King, who acknowledged that he is Loan Officer of First Tennessee Bank National Association, and that for and on behalf of said corporation, and as its act and deed he executed the above and foregoing instrument after first having been duly authorized so to do.

NOTARY PUBLIC

My Commission Expires:

Refund:  
PREPARED BY:  
AUSTIN LAW FIRM, P.A.  
6928 COBBLESTONE DRIVE, SUITE 100  
SOUTHAVEN, MISSISSIPPI 38672  
(662)890-7575

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